

# **Exhibit A**

**Int. Cl.: 5**

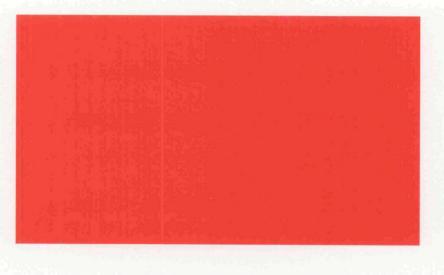
**Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52**

**United States Patent and Trademark Office**

**Reg. No. 2,991,191**

**Registered Sep. 6, 2005**

**TRADEMARK  
PRINCIPAL REGISTER**



OMS INVESTMENTS, INC. (DELAWARE CORPORATION)  
10250 CONSTELLATION BOULEVARD  
SUITE 2800  
LOS ANGELES, CA 90067

FOR: TURF ALGAECIDE, TURF FUNGICIDE AND TURF PESTICIDE FOR AGRICULTURAL AND DOMESTIC USE; INSECTICIDES, PESTICIDES, FUNGICIDES, HERBICIDES, RODENTICIDES, MITICIDES, AND PARASITICIDES FOR DOMESTIC USE; BIOLOGICAL INSECT SPRAY CONCENTRATE FOR OUTDOOR HOME AND GARDEN USE; SOIL FUNGICIDES, DRY GRANULAR HERBICIDES SOLD TO PROFESSIONAL NURSERIES AND LAWN CARE SERVICES, AND USED IN CONNECTION WITH TURF AND ORNAMENTAL PLANTINGS; ANIMAL REPELLENTS, ANIMAL POISONS, PREPARATIONS FOR DESTROYING VERMIN, INSECT REPELLENTS, INSECT REPELLENT IN TOPICAL FORM; FLEA KILLER, FIRE ANT BAIT, FIRE ANT GRANULES,

TERMITES, CARPENTER ANT AND FIRE ANT KILLER FOR DOMESTIC USE; HERBICIDES MIXED WITH FERTILIZERS FOR DOMESTIC USE; PESTICIDE, NAMELY, SLUG AND SNAIL BAIT FOR DOMESTIC USE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 12-31-1995; IN COMMERCE 12-31-1995.

THE COLOR RED IS CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A RED RECTANGLE.

SEC. 2(F).

SER. NO. 76-568,151, FILED 12-22-2003.

CAROLYN GRAY, EXAMINING ATTORNEY

For assistance with TSDR, email [teas@uspto.gov](mailto:teas@uspto.gov) and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

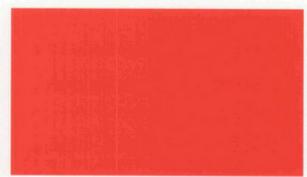
[STATUS](#)    [DOCUMENTS](#)    [MAINTENANCE](#)

[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2023-04-20 11:51:38 EDT

**Mark:**



**US Serial Number:** 76568151

**Application Filing Date:** Dec. 22, 2003

**US Registration Number:** 2991191

**Registration Date:** Sep. 06, 2005

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** The registration has been renewed.

**Status Date:** Dec. 30, 2014

**Publication Date:** Jun. 14, 2005

## Mark Information

**Mark Literal Elements:** None

**Standard Character Claim:** No

**Mark Drawing Type:** 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORD(S)/ LETTER(S)/NUMBER(S)

**Color Drawing:** Yes

**Color(s) Claimed:** The color red is claimed as a feature of the mark.

**Color Location:** The mark consists of a red rectangle.

**Acquired Distinctiveness** In whole

**Claim:**

**Design Search Code(s):** 26.11.21 - Rectangles that are completely or partially shaded

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

**For:** [ turf algaecide, turf fungicide and turf pesticide for agricultural and domestic use; ] insecticides, pesticides, fungicides, herbicides, rodenticides, miticides [, and parasiticides for domestic use ]; biological insect spray concentrate for outdoor home and garden use; [ soil fungicides, dry granular herbicides sold to professional nurseries and lawn care services, and used in connection with turf and ornamental plantings; animal repellents, ] animal poisons, preparations for destroying vermin, insect repellents, insect repellent in topical form; flea killer, fire ant bait, fire ant granules, termite, carpenter ant and fire ant killer for domestic use; [ herbicides mixed with fertilizers for domestic use; ] pesticide, namely, slug and snail bait for domestic use

**International Class(es):** 005 - Primary Class

**U.S Class(es):** 006, 018, 044, 046, 051, 052

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 31, 1995

**Use in Commerce:** Dec. 31, 1995

**Basis Information (Case Level)**

Filed Use: Yes	Currently Use: Yes
Filed ITU: No	Currently ITU: No
Filed 44D: No	Currently 44E: No
Filed 44E: No	Currently 66A: No
Filed 66A: No	Currently No Basis: No
Filed No Basis: No	

**Current Owner(s) Information**

Owner Name: OMS INVESTMENTS, INC.

Owner Address: 10250 Constellation Boulevard  
Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067

Legal Entity Type: CORPORATION

State or Country Where: DELAWARE  
Organized:**Attorney/Correspondence Information****Attorney of Record**

Attorney Name: Robert Morgan

Attorney Primary Email: [trademarks@scotts.com](mailto:trademarks@scotts.com)  
Address:

Attorney Email Authorized: Yes

**Correspondent**Correspondent: Robert Morgan  
Name/Address: OMS Investments, Inc.10250 Constellation Blvd., Suite 2800  
Los Angeles, CALIFORNIA UNITED STATES 90067Correspondent e-mail: [trademarks@scotts.com](mailto:trademarks@scotts.com)Correspondent e-mail: Yes  
Authorized:**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Nov. 16, 2022	TEAS SECTION 7 REQUEST RECEIVED	
Nov. 15, 2022	POST REGISTRATION ACTION MAILED NO RESPONSE REQUIRED	30098
Nov. 15, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	30098
Oct. 21, 2022	TEAS VOLUNTARY AMENDMENT RECEIVED	
Oct. 23, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 23, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 30, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Dec. 30, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Dec. 30, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75461
Dec. 24, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Dec. 04, 2014	TEAS SECTION 8 & 9 RECEIVED	
Sep. 28, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 28, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	74886
Sep. 28, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Sep. 05, 2011	TEAS SECTION 8 & 15 RECEIVED	
Sep. 06, 2005	REGISTERED-PRINCIPAL REGISTER	
Jun. 14, 2005	PUBLISHED FOR OPPPOSITION	

May 25, 2005	NOTICE OF PUBLICATION	
Feb. 24, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Feb. 24, 2005	ASSIGNED TO LIE	70997
Feb. 18, 2005	ASSIGNED TO LIE	76538
Feb. 16, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 05, 2004	AMENDMENT FROM APPLICANT ENTERED	70629
Oct. 28, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Oct. 28, 2004	PAPER RECEIVED	
Jul. 27, 2004	NON-FINAL ACTION MAILED	
Jul. 12, 2004	ASSIGNED TO EXAMINER	67523
Jan. 16, 2004	NEW APPLICATION ENTERED	

### TM Staff and Location Information

**TM Staff Information - None**

**File Location**

Current Location: TMO LAW OFFICE 111

Date in Location: Nov. 15, 2022

### Assignment Abstract Of Title Information - Click to Load

### Proceedings - Click to Load

**Int. Cl.: 5**

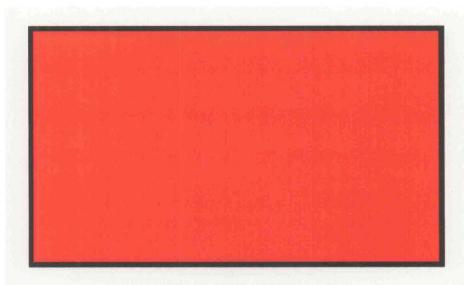
**Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52**

**United States Patent and Trademark Office**

**Reg. No. 2,991,195**

**Registered Sep. 6, 2005**

**TRADEMARK  
PRINCIPAL REGISTER**



OMS INVESTMENTS, INC. (DELAWARE CORPORATION)  
10250 CONSTELLATION BOULEVARD  
SUITE 2800  
LOS ANGELES, CA 90067

FOR: TURF ALGAECIDE, TURF FUNGICIDE AND TURF PESTICIDE FOR AGRICULTURAL AND DOMESTIC USE; INSECTICIDES, PESTICIDES, FUNGICIDES, HERBICIDES, RODENTICIDES, MITICIDES, AND PARASITICIDES FOR DOMESTIC USE; BIOLOGICAL INSECT SPRAY CONCENTRATE FOR OUTDOOR HOME AND GARDEN USE; SOIL FUNGICIDES, DRY GRANULAR HERBICIDES SOLD TO PROFESSIONAL NURSERIES AND LAWN CARE SERVICES, AND USED IN CONNECTION WITH TURF AND ORNAMENTAL PLANTINGS; ANIMAL REPELLENTS, ANIMAL POISONS, PREPARATIONS FOR DESTROYING VERMIN, INSECT REPELLENTS, INSECT REPELLENT IN TOPICAL FORM; FLEA KILLER, FIRE ANT BAIT, FIRE ANT GRANULES, TERMITE, CARPENTER ANT AND FIRE ANT

KILLER FOR DOMESTIC USE; HERBICIDES MIXED WITH FERTILIZERS FOR DOMESTIC USE; PESTICIDE, NAMELY, SLUG AND SNAIL BAIT FOR DOMESTIC USE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 12-31-1995; IN COMMERCE 12-31-1995.

THE COLORS RED AND BLACK ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A RED RECTANGLE WITH BLACK BORDER.

SEC. 2(F).

SER. NO. 76-568,421, FILED 12-22-2003.

CAROLYN GRAY, EXAMINING ATTORNEY

For assistance with TSDR, email [teas@uspto.gov](mailto:teas@uspto.gov) and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

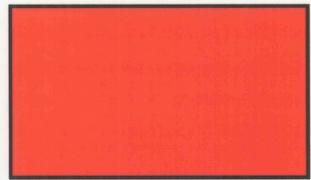
[STATUS](#)    [DOCUMENTS](#)    [MAINTENANCE](#)

[Back to Search](#)

Print

**Generated on:** This page was generated by TSDR on 2023-04-20 11:55:19 EDT

**Mark:**



**US Serial Number:** 76568421

**Application Filing Date:** Dec. 22, 2003

**US Registration Number:** 2991195

**Registration Date:** Sep. 06, 2005

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

**Status:** The registration has been renewed.

**Status Date:** Dec. 30, 2014

**Publication Date:** Jun. 14, 2005

## Mark Information

**Mark Literal Elements:** None

**Standard Character Claim:** No

**Mark Drawing Type:** 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORD(S)/ LETTER(S)/NUMBER(S)

**Color Drawing:** Yes

**Color(s) Claimed:** The colors red and black are claimed as a feature of the mark.

**Color Location:** The mark consists of a red rectangle with black border.

**Acquired Distinctiveness** In whole

**Claim:**

**Design Search Code(s):** 26.11.20 - Rectangles inside one another

26.11.21 - Rectangles that are completely or partially shaded

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

**For:** [ turf algaecide, turf fungicide and turf pesticide for agricultural and domestic use; ] insecticides, pesticides, fungicides, herbicides, rodenticides, miticides[ , and parasiticides for domestic use ]; biological insect spray concentrate for outdoor home and garden use; [ soil fungicides, dry granular herbicides sold to professional nurseries and lawn care services, and used in connection with turf and ornamental plantings; animal repellents, ] animal poisons, preparations for destroying vermin, insect repellents, insect repellent in topical form; flea killer, fire ant bait, fire ant granules, termite, carpenter ant and fire ant killer for domestic use; [ herbicides mixed with fertilizers for domestic use; ] pesticide, namely, slug and snail bait for domestic use

**International Class(es):** 005 - Primary Class

**U.S Class(es):** 006, 018, 044, 046, 051, 052

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Dec. 31, 1995

**Use in Commerce:** Dec. 31, 1995

**Basis Information (Case Level)**

Filed Use: Yes	Currently Use: Yes
Filed ITU: No	Currently ITU: No
Filed 44D: No	Currently 44E: No
Filed 44E: No	Currently 66A: No
Filed 66A: No	Currently No Basis: No
Filed No Basis: No	

**Current Owner(s) Information**

Owner Name: OMS INVESTMENTS, INC.	
Owner Address: 10250 Constellation Boulevard	
Suite 2800	
Los Angeles, CALIFORNIA UNITED STATES 90067	
Legal Entity Type: CORPORATION	State or Country Where DELAWARE Organized:

**Attorney/Correspondence Information****Attorney of Record**

Attorney Name: Robert Morgan
Attorney Primary Email: <a href="mailto:trademarks@scotts.com">trademarks@scotts.com</a>
Address:

**Correspondent**

Correspondent: Robert Morgan
Name/Address: OMS Investments, Inc.
10250 Constellation Blvd., Suite 2800
Los Angeles, CALIFORNIA UNITED STATES 90067
Correspondent e-mail: <a href="mailto:trademarks@scotts.com">trademarks@scotts.com</a>

Correspondent e-mail Yes  
Authorized:

**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Nov. 16, 2022	TEAS SECTION 7 REQUEST RECEIVED	
Nov. 15, 2022	POST REGISTRATION ACTION MAILED NO RESPONSE REQUIRED	30098
Nov. 15, 2022	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	30098
Oct. 21, 2022	TEAS VOLUNTARY AMENDMENT RECEIVED	
Oct. 23, 2019	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 23, 2019	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Dec. 30, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Dec. 30, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Dec. 30, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75461
Dec. 24, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Dec. 04, 2014	TEAS SECTION 8 & 9 RECEIVED	
Sep. 28, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 28, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	74886
Sep. 28, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Sep. 05, 2011	TEAS SECTION 8 & 15 RECEIVED	
Sep. 06, 2005	REGISTERED-PRINCIPAL REGISTER	
Jun. 14, 2005	PUBLISHED FOR OPPPOSITION	

May 25, 2005	NOTICE OF PUBLICATION	
Feb. 24, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Feb. 24, 2005	ASSIGNED TO LIE	70997
Feb. 18, 2005	ASSIGNED TO LIE	76538
Feb. 16, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 05, 2004	AMENDMENT FROM APPLICANT ENTERED	70629
Oct. 28, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Oct. 28, 2004	PAPER RECEIVED	
Jul. 27, 2004	NON-FINAL ACTION MAILED	
Jul. 12, 2004	ASSIGNED TO EXAMINER	67523
Jan. 20, 2004	NEW APPLICATION ENTERED	

### TM Staff and Location Information

**TM Staff Information - None**

**File Location**

Current Location: TMO LAW OFFICE 111

Date in Location: Nov. 15, 2022

### Assignment Abstract Of Title Information - Click to Load

### Proceedings - Click to Load